

1 10
33. (New) The cover of claim 29, wherein the opening in the cover material is sized to receive a mixing head for injecting the polyurethane chemicals and prevent escape thereof from the cover material.

REMARKS

Responsive to the Office Action of May 22, 2001, the Examiner's thorough comments and the cited Patent to Friessner, et al. (EP 278,050) has been noted and studied. For reasons to be set forth in detail below, it is respectfully submitted that all claims now present in the application are in condition for allowance and such favorable action is respectfully requested.

Turning first to formal matters, the Examiner's helpful comments regarding the form of the claims under 35 USC §112 is noted. With those comments in mind, independent claim 17 has been amended to refer in the body of the claim to the pipeline functionally by inserting the suggested language "for attachment to said pipeline," as suggested by the Examiner. Thus, claim 17 and its dependent claims deal with the cover as a subcombination for attachment to pipelines. Additionally, independent claim 29 and dependent claims recite the cover of the subcombination actually installed with the pipeline. It is submitted that the claims now presented make clear applicant intends to cover both the cover in either of the forms mentioned by the Examiner.

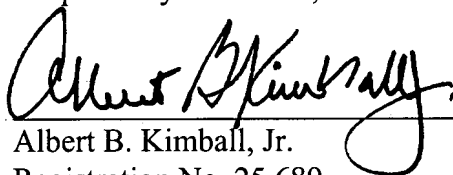
Turning to the prior art, the European Patent to Friessner (No. 0 278 050) has been noted and studied. It is respectfully submitted that the Friessner reference neither anticipates nor makes obvious, either singly or in combination with other art, the subject matter of the claims of the present application. It is noted that the Friessner reference shows a plastic wrap with an embedded heater wire 13 which is held in place by plastic strips 5 on an outer pipe 3 of plastic within which a foam outer lagging is contained. The presence of the heater wire in the Friessner structure makes it clear that the subject matter of the claims of the present invention is not present in the Friessner structure. Addressed specifically, each of independent claims 17 and 29 recite that the pliable cover material includes an opening which allows injection of the joint filling material into the annular space and also allows entry of moisture into the polyurethane foam. Claims 22 and 31 also recite that the foam of the joint filling material absorbs moisture

when under water to increase ballast of the pipeline. There is no such structure in Friessner. In fact, it would be contrary to the purpose of Friessner (a covering to enclose an electric heater element) to introduce openings for entry of moisture.

The Friessner structure, with its use of an electric heating wire, requires sealing of the cover material due to the presence of the heating wire. Were openings to be permitted in the outer strip 5, moisture would be permitted access into the interior of the pocket joint shown in the Friessner structure and this would clearly be an undesirable result with an electric heating wire present.

In summary, it is respectfully submitted that the claims now present comply with the matters of form noted in the Office Action of May 22 and that the claims as presented are patentable over the prior art of record. Accordingly, allowance and passage to issue of the present application is submitted to be appropriate and such action is respectfully requested.

Respectfully submitted,

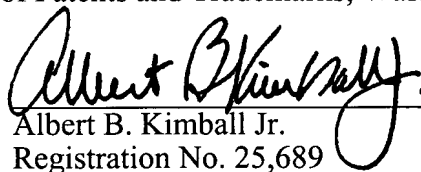


Albert B. Kimball, Jr.
Registration No. 25,689

BRACEWELL & PATTERSON
711 Louisiana, Suite 2700
Houston, Texas 77002
713/221-1377
Fax 713/221-2185

CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee service as Express Mail No. EL846668331US in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on November 21, 2001.



Albert B. Kimball Jr.
Registration No. 25,689